HON'BLE SMT. JUSTICE T. MEENA KUMARI

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HON'BLE SRI JUSTICE K.C. BHANU

Writ Petition No.23620 of 2005

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Dated: 7th November 2005

Between:

Lalithamma

… Petitioner

And

The Station House Officer, Rural Police Station,

Mahaboobnagar District and another.

… Respondents

Oral Order: (per the Hon'ble Smt. Justice T. Meena Kumari)

1. This writ petition is taken up on the basis of a Fax Message dated 29-10-2005 sent by the petitioner informing that her husband Harijan Bureddipally Venkataiah was illegally detained by Circle Inspector of Police, Rural Police Station, Mahaboobnagar District from 8 a.m. of the same day and he was being harassed to withdraw cases against landlords. She prayed in that message to order release of her husband from illegal detention, otherwise, he will be killed in lock up.

2. The learned Advocate General has filed a counter-affidavit sworn

by the Circle Inspector of Police, Rural Circle, Mahaboobnagar wherein it is stated by him that the alleged detenu is not required in any crime pending in his Circle and he was not detained in any case. On receipt of communication from the learned Advocate General, he caused enquiries into the matter and in the enquiry it is revealed that the alleged detenu is moving freely in his village. He also stated in the counter affidavit that on his request, the Executive Officer (Panchayat Secretary) and the Sarpanch of Yenugonda Gram Panchayat, Mahaboobnagar District have caused enquiry and issued a certificate to that effect. The learned Advocate General has filed the Declaration Certificate signed by the Executive Officer (Panchayat Secretary), and the Sarpanch of the Gram Panchayat, Yenugonda, along with the counter affidavit.

3. In view of the statement made by the Circle Inspector of Police, Rural Police Station, Mahaboobnagar in the counter-affidavit that the alleged detenu is freely moving in his village and no case is pending against him in his Circle, and in view of the declaration given by the Executive Officer (Panchayat Secretary) and the Sarpanch of the Gram Panchayat, Yenugonda that the alleged detenu is presently living in H.No.5-20 of their village, nothing survives in this writ petition and the same is closed.

(Smt. T. Meena Kumari, J)

(K. C. Bhanu, J)

7th November 2005

svs